

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRAAM HATTINGH, : **CIVIL ACTION NO. 1:09-CV-1088**

:
Plaintiff : **(Judge Conner)**

:
v. :

DB REAL ESTATE ASSETS I, LLC, :

:
Defendant :

ORDER

AND NOW, this 28th day of April, 2011, upon consideration of the motion for approval of certain costs as taxable (Doc. 49) filed by defendant on March 30, 2011, wherein defendant requests approval of this court to tax costs in the amount of \$831.28 associated with a videotaped deposition (*id.* ¶ 4), and costs in the amount of \$291.50 for a disc containing digital photographs and a video clip prepared in response to plaintiff's document request (*id.* ¶ 5), and it appearing that the plaintiff concurs in the motion to approve the costs as taxable (see Doc. 52), and the court finding that pursuant to Local Rule 54.4 that “[f]ees for videotaped depositions may not be taxed without prior court approval,” L.R. 54.3(3), and that “[o]ther items may be taxed with prior court approval,” L.R. 54.3(9), and the court further finding that defendant’s disc is similar to the costs taxable in Local Rule 54.4(6), under which the costs associated with photographs “attached to documents required to be filed and served on opposing counsel” are taxable, see L.R. 54.4(6), and the court concluding that Local Rules permit the court to tax the costs requested by

defendant, and that, given plaintiff's concurrence in the taxation of costs (see Doc. 52), there is no reason to withhold approval, it is hereby ORDERED that:

1. The motion for approval of certain costs as taxable (Doc. 49) is GRANTED.
2. The defendant is directed to submit a Bill of Costs, including the costs herein approved for taxation, no later than May 4, 2011.
3. The defendant shall attach a copy of this Order to the Bill of Costs.
4. Failure to comply with paragraphs two and three above will result in taxation of costs solely for the costs approved by this Order.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge